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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAVIER AGUILERA ROSAS,

Defendant.

CASE NO. 2:24-CR-00237-WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: April 28, 2025
TIME: 10 a.m.
COURT: Hon. William B. Shubb

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on April 28, 2025.
2. By this stipulation, defendant now moves to set a Jury Trial date for October 21, 2025 at 9:00 a.m., to set a Trial Confirmation Hearing date for **August 25, 2025 at 10:00 a.m.**, and to exclude time between April 28, 2025, and October 21, 2025, under Local Code T4. The parties anticipate the trial will take five court days.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) Defense counsel has a state trial that will be set for mid-2025.
 - b) The government has represented that the discovery associated with this case includes 1,000s of pages of documents. All this discovery has been either produced directly to

counsel and/or made available for inspection and copying.

c) Counsel for defendant desires additional time to consult with his client, review the current charges, conduct investigation and research related to the charges, review discovery for this matter, discuss potential resolutions with his client, and otherwise prepare for trial.

d) Counsel for defendant believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

e) The government does not object to the continuance.

f) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of April 28, 2025 to October 21, 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

5. The April 28, 2025 Status Conference is **vacated**.

IT IS SO STIPULATED.

Dated: April 24, 2025

MICHELE BECKWITH
Acting United States Attorney

/s/ NICOLE MOODY
NICOLE MOODY
Special Assistant United States
Attorney

1 Dated: April 24, 2025

/s/ MICHAEL HEUMANN

2 MICHAEL HEUMANN

3 Counsel for Defendant

4 Javier Aguilera Rosas

5 **ORDER**

6 IT IS SO FOUND AND ORDERED.

7
8 Dated: April 24, 2025



9 WILLIAM B. SHUBB

10 UNITED STATES DISTRICT JUDGE